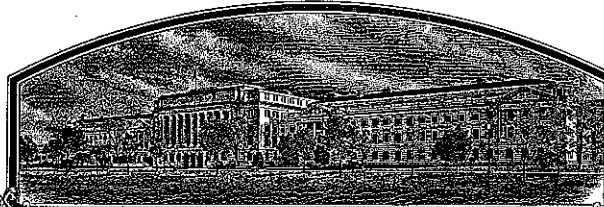


No.

200600213



# THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

*Pioneer Hi-Bred International, Inc.*

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF TWENTY YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSE, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSE, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

WHEAT, COMMON

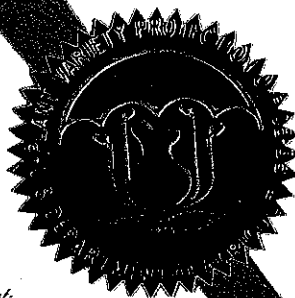
'26R87'

*In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D.C. this twenty-ninth day of September, in the year two thousand and six.*

Attest:

Commissioner  
Plant Variety Protection Office  
Agricultural Marketing Service

Secretary of Agriculture

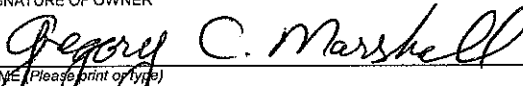


U.S. DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE  
SCIENCE AND TECHNOLOGY - PLANT VARIETY PROTECTION OFFICE

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE  
(Instructions and information collection burden statement on reverse)

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. NAME OF OWNER <b>Pioneer Hi-Bred International, Inc.</b>		2. TEMPORARY DESIGNATION OR EXPERIMENTAL NAME <b>XW04C</b>		3. VARIETY NAME <b>26 R 87</b>	
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and Country) <b>Crop Genetics Research &amp; Development Wheat Research 3850 N 100 E Windfall, IN 46076-9389</b>		5. TELEPHONE (include area code) <b>(765) 945-7906</b>		<div style="border: 1px solid black; padding: 5px;"> <p>FOR OFFICIAL USE ONLY</p> <p>PVPO NUMBER <b>2006 002 13</b></p> <p>FILING DATE <b>MAY 16, 2006</b></p> </div>	
		6. FAX (include area code) <b>(765) 945-8313</b>			
7. IF THE OWNER NAMED IS NOT A "PERSON", GIVE FORM OF ORGANIZATION (corporation, partnership, association, etc.) <b>Corporation</b>		8. IF INCORPORATED, GIVE STATE OF INCORPORATION <b>Iowa</b>			
9. DATE OF INCORPORATION <b>May 7, 1926</b>				<div style="border: 1px solid black; padding: 5px;"> <p>FILING AND EXAMINATION FEES: \$ <b>4,382.00</b></p> <p>DATE <b>5/16/06</b></p> <p>CERTIFICATION FEE: \$ <b>768.00</b></p> <p>DATE <b>8/21/2006</b></p> </div>	
10. NAME AND ADDRESS OF OWNER REPRESENTATIVE(S) TO SERVE IN THIS APPLICATION. (First person listed will receive all papers) <b>Dr. Gregory C. Marshall Pioneer Hi-Bred International, Inc. Wheat Research 3850 N 100 E Windfall, IN 46076-9389</b>					
11. TELEPHONE (include area code) <b>(765) 945-7906 ext. 11</b>		12. FAX (include area code) <b>(765) 945-8313</b>		13. E-MAIL <b>greg.marshall@pioneer.com</b>	
14. CROP KIND (Common Name) <b>Wheat</b>		16. FAMILY NAME (Botanical) <b>Gramineae</b>		18. DOES THE VARIETY CONTAIN ANY TRANSGENES? (OPTIONAL) <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF SO, PLEASE GIVE THE ASSIGNED USDA-APHIS REFERENCE NUMBER FOR THE APPROVED PETITION TO DEREGULATE THE GENETICALLY MODIFIED PLANT FOR COMMERCIALIZATION.	
15. GENUS AND SPECIES NAME OF CROP <b>Triticum aestivum</b>		17. IS THE VARIETY A FIRST GENERATION HYBRID? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
19. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (Follow instructions on reverse)					
a. <input checked="" type="checkbox"/> Exhibit A. Origin and Breeding History of the Variety b. <input checked="" type="checkbox"/> Exhibit B. Statement of Distinctness c. <input checked="" type="checkbox"/> Exhibit C. Objective Description of Variety d. <input checked="" type="checkbox"/> Exhibit D. Additional Description of the Variety (Optional) e. <input checked="" type="checkbox"/> Exhibit E. Statement of the Basis of the Owner's Ownership f. <input checked="" type="checkbox"/> Exhibit F. Declaration Regarding Deposit g. <input checked="" type="checkbox"/> Voucher Sample (3,000 viable untreated seeds or, for tuber propagated varieties, verification that tissue culture will be deposited and maintained in an approved public repository) g. <input checked="" type="checkbox"/> Filing and Examination Fee (\$4,382), made payable to "Treasurer of the United States" (Mail to the Plant Variety Protection Office)					
20. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE SOLD AS A CLASS OF CERTIFIED SEED? (See Section 83(a) of the Plant Variety Protection Act) <input type="checkbox"/> YES (If "yes", answer items 21 and 22 below) <input checked="" type="checkbox"/> NO (If "no", go to item 23)					
21. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF CLASSES? <input type="checkbox"/> YES <input type="checkbox"/> NO IF YES, WHICH CLASSES? <input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED					
22. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS? <input type="checkbox"/> YES <input type="checkbox"/> NO IF YES, SPECIFY THE NUMBER 1,2,3, etc. FOR EACH CLASS. <input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED (If additional explanation is necessary, please use the space indicated on the reverse.)					
23. HAS THE VARIETY (INCLUDING ANY HARVESTED MATERIAL) OR A HYBRID PRODUCED FROM THIS VARIETY BEEN SOLD, DISPOSED OF, TRANSFERRED, OR USED IN THE U. S. OR OTHER COUNTRIES? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YES, YOU MUST PROVIDE THE DATE OF FIRST SALE, DISPOSITION, TRANSFER, OR USE FOR EACH COUNTRY AND THE CIRCUMSTANCES. (Please use space indicated on reverse.)					
24. IS THE VARIETY OR ANY COMPONENT OF THE VARIETY PROTECTED BY INTELLECTUAL PROPERTY RIGHT (PLANT BREEDER'S RIGHT OR PATENT)? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YES, PLEASE GIVE COUNTRY, DATE OF FILING OR ISSUANCE AND ASSIGNED REFERENCE NUMBER. (Please use space indicated on reverse.)					
25. The owners declare that a viable sample of basic seed of the variety has been furnished with application and will be replenished upon request in accordance with such regulations as may be applicable, or for a tuber propagated variety a tissue culture will be deposited in a public repository and maintained for the duration of the certificate. The undersigned owner(s) is(are) the owner of this sexually reproduced or tuber propagated plant variety, and believe(s) that the variety is new, distinct, uniform, and stable as required in Section 42, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act. Owner(s) is (are) informed that false representation herein can jeopardize protection and result in penalties.					
SIGNATURE OF OWNER 			SIGNATURE OF OWNER		
NAME (Please print or type) <b>Gregory C. Marshall</b>			NAME (Please print or type)		
CAPACITY OR TITLE <b>Wheat Research Director</b>		DATE <b>5/10/06</b>		CAPACITY OR TITLE	
				DATE	

**GENERAL INSTRUCTIONS:** To be effectively filed with the Plant Variety Protection Office (PVPO), **ALL** of the following items must be **received** in the PVPO: (1) Completed application form signed by the owner; (2) completed exhibits A, B, C, E, F; (3) for a tuber reproduced variety, verification that a viable (*in the sense that it will reproduce an entire plant*) tissue culture will be deposited and maintained in an approved public repository; and (4) payment by credit card or check drawn on a U.S. bank for \$4,382 (\$518 filing fee and \$3,864 examination fee), payable to "Treasurer of the United States" (See Section 97.6 of the Regulations and Rules of Practice). **NEW:** With the application for a seed reproduced variety or by direct deposit soon after filing, the applicant must provide at least 3,000 viable untreated seeds of the variety *per se*, and for a hybrid variety at least 3,000 untreated seeds of each line necessary to reproduce the variety. Partial applications will be held in the PVPO for not more than 90 days; then returned to the applicant as un-filed. Mail application and other requirements to Plant Variety Protection Office, AMS, USDA, Room 401, NAL Building, 10301 Baltimore Avenue, Beltsville, MD 20705-2351. Retain one copy for your files. All items on the face of the application are self explanatory unless noted below. Corrections on the application form and exhibits must be initialed and dated. **DO NOT** use masking materials to make corrections. If a certificate is allowed, you will be requested to send a payment by credit card or check payable to "Treasurer of the United States" in the amount of \$768 for issuance of the certificate. Certificates will be issued to owner, not licensee or agent.

**NOTES:** It is the responsibility of the applicant/owner to keep the PVPO informed of any changes of address or change of ownership or assignment or owner's representative during the life of the application/certificate. The fees for filing a change of address; owner's representative; ownership or assignment; or any modification of owner's name is specified in Section 97.175 of the regulations. (See Section 101 of the Act, and Sections 97.130, 97.131, 97.175(h) of the Regulations and Rules of Practice.)

**Plant Variety Protection Office**  
**Telephone:** (301) 504-5518 **FAX:** (301) 504-5291  
**General E-mail:** PVP@mail@usda.gov  
**Homepage:** <http://www.ams.usda.gov/science/pvpo/PVPIndex.htm>

2006 002 13

#### **SPECIFIC INSTRUCTIONS:**

To avoid conflict with other variety names in use, the applicant must check the appropriate recognized authority and **provide evidence** that the permanent name of the application variety (even if it is a parental, inbred line) has been cleared by the appropriate recognized authority before the Certificate of Protection is issued. For example, for agricultural and vegetable crops, contact: U.S. Department of Agriculture, Agricultural Marketing Service, Livestock and Seed Programs, **Seed Regulatory and Testing Branch**, 801 Summit Crossing Place, Suite C, Gastonia, North Carolina 28054-2193 Telephone: (704) 810-8870.  
<http://www.ams.usda.gov/lsg/seed.htm>.

#### **ITEM**

- 19a. Give: (1) the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method;  
(2) the details of subsequent stages of selection and multiplication;  
(3) evidence of uniformity and stability; and  
(4) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified
- 19b. Give a summary of the variety's distinctness. Clearly state how this application variety may be distinguished from all other varieties in the same crop. If the new variety is most similar to one variety or a group of related varieties:  
(1) identify these varieties and state all differences objectively;  
(2) attach replicated statistical data for characters expressed numerically and demonstrate that these are clear differences; and  
(3) submit, if helpful, seed and plant specimens or photographs (prints) of seed and plant comparisons which clearly indicate distinctness.
- 19c. Exhibit C forms are available from the PVPO Office for most crops; specify crop kind. Fill in Exhibit C (Objective Description of Variety) form as completely as possible to describe your variety.
- 19d. Optional additional characteristics and/or photographs. Describe any additional characteristics that cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the characteristics that are difficult to describe, such as plant habit, plant color, disease resistance, etc.
- 19e. Section 52(5) of the Act requires applicants to furnish a statement of the basis of the applicant's ownership. An Exhibit E form is available from the PVPO.
20. If "Yes" is specified (*seed of this variety be sold by variety name only, as a class of certified seed*), the applicant **MAY NOT** reverse this affirmative decision after the variety has been sold and so labeled, the decision published, or the certificate issued. However, if "No" has been specified, the applicant may change the choice. (See Regulations and Rules of Practice, Section 97.103).
23. See Sections 41, 42, and 43 of the Act and Section 97.5 of the regulations for eligibility requirements.
24. See Section 55 of the Act for instructions on claiming the benefit of an earlier filing date.

**22. CONTINUED FROM FRONT** (Please provide a statement as to the limitation and sequence of generations that may be certified.)

**23. CONTINUED FROM FRONT** (Please provide the date of first sale, disposition, transfer, or use for each country and the circumstances, if the variety (including any harvested material) or a hybrid produced from this variety has been sold, disposed of, transferred, or used in the U.S. or other countries.)

**24. CONTINUED FROM FRONT** (Please give the country, date of filing or issuance, and assigned reference number, if the variety or any component of the variety is protected by intellectual property right (Plant Breeder's Right or Patent).)

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 1.4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, sexual orientation, marital or family status, political beliefs, parental status, or protected genetic information. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410 or call 202-720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

## 19A. Exhibit A. Origin and Breeding History of Pioneer Wheat Cultivar XW04C. '25 R87'

MA#  
8/21/06

Pioneer® experimental cultivar XW04C is a soft red winter wheat (*Triticum aestivum* L.) developed by Pioneer Hi-Bred International, Inc.. It was derived from a single cross made in 1994 as follows:

ABN0563/2552

ABN0563 was an experimental line developed by Pioneer and selected at the F3 stage for use in this cross. Its pedigree was FR88.16/Coker 80-28//Coker 86-31. FR88.16 is a French germplasm line that was entered in the 1988 International Winter Wheat Powdery Mildew Nursery. The pedigree of FR88.16 was Avalon (PI 446910)/3/ VPM (PI 519303)/Moisson (PI 315998)//Champlein (PI 262224)/Aronde (PI 285087). Coker 80-28 and Coker 86-31 were experimental lines from Coker's Pedigreed Seed Company. The pedigree for Coker 80-28 was Coker 68-15 (CI 15291)\*3/CI 14115. The pedigree for Coker 86-31 was Coker 68-15\*3//McNair 1813/Coker 797. The detailed parentage of XW04C is:

Avalon /3/ VPM / Moisson // Champlein / Aronde /4/ Coker 68-15\*3 / CI 14115 /5/ Coker 68-15\*3 // McNair 1813 / Coker 797 /6/ 2552

The single cross ABN0563/2552 was made in the 1994 spring greenhouse cycle and was designated A940947. The subsequent breeding history of XW04C is described below.

<u>Year</u>	<u>Generation</u>	
1994	Final cross	
1995	F <sub>1</sub>	F <sub>1</sub> grown in transplant nursery at Windfall IN.
1995-96	F <sub>2</sub>	Bulk populations grown at St. Matthews, SC and Rowland, NC. Individual spike selections made St. Matthews, SC.
1996-97	F <sub>3</sub>	Headrows from F <sub>2</sub> selections grown at St. Matthews, SC. Selected rows cut and threshed individually.
1997-98	F <sub>4</sub>	A three row X 3-meter observation plot was planted at St. Matthews, SC and Rowland, NC. A meter section of the center row was harvested from the selected plot and threshed in bulk.
1998-99	F <sub>5</sub>	A seven row X 3-meter plot was planted at St. Matthews, SC and Rowland, NC. Fifty spikes were harvested from the selected plot and threshed individually.
1999-2000	F <sub>6</sub>	Twenty headrows of the F <sub>5</sub> selection were grown at St. Matthews, SC. Selected rows were cut and threshed individually.
2000-01	F <sub>7</sub>	Preliminary yield testing of an F <sub>5</sub> selection from an F <sub>6</sub> headrow. This selection designated A940947C1.

2001-02	F <sub>8</sub>	Advanced yield testing of A940947C1. 200 individual spikes were harvested from a small bulk increase.
2002-03	F <sub>9</sub>	Elite yield testing of A940947C1. 200 purification headrows planted, off-type rows destroyed prior to maturity. Approximately 100 of the remaining, inside rows were individually cut and threshed. Two spikes were taken from each harvested row.
2003-04	F <sub>10</sub>	Elite yield testing continued of A940947C1. Seed from purification headrows planted in individual progeny plots which surrounded 200 headrows. Off-type plots and headrows were destroyed prior to harvest. Equal numbers of spikes were harvested from the remaining progeny plots for a total of 1000 individual spikes. 110 headrows were harvested. The progeny plots were harvested in bulk, which constitutes Breeder Seed. Bulk seed, headrow bulks, and individual spikes were turned over to Pioneer's Supply Management, Parent Wheat Seed group.
2004-05	F <sub>11</sub>	Elite yield testing continued, line designated YW04C. Seed increase continued by Pioneer Parent Wheat Seed Group.
2005-06	F <sub>12</sub>	Elite yield testing continues, line designated XW04C. Seed increase continues by Pioneer Parent Wheat Seed Group.

mat  
8-21-06  
25787  
Decision to release ~~XW04C~~ will be made in August 2006, at which time a commercial code will be assigned.

The cultivar XW04C was bred and selected for any and all of the following characteristics in the field environment: disease resistance, plant type, plant height, head type, straw strength, maturity, grain yield, test weight, and milling and baking characteristics.

XW04C has been shown to be uniform and stable since the 7<sup>th</sup> generation, or for the last 5 generations. XW04C has shown no variants other than what would normally be expected due to environment.

## 19B. Exhibit B. Statement of Distinctness

NAH  
8-21-06

25R87'

XW04C is most similar to Pioneer<sup>®</sup> variety 2552 but with the following distinguishing characteristics:

1. The stem of XW04C has a waxy bloom at boot stage, while the stem of 2552 has no waxy bloom at flowering stage.
2. The spike shape of XW04C is strap, while that of 2552 is tapering.
3. The brush length on the seed of XW04C is short in length, while that of 2552 is medium in length.
4. The heading date of XW04C averages 5.4 days earlier than 2552 (Highly significant at < 0.01 probability level. See Table 1 for comparison).

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 2.5 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

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U.S. DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE  
SCIENCE AND TECHNOLOGY  
PLANT VARIETY PROTECTION OFFICE  
BELTSVILLE, MD 20705

Exhibit C

OBJECTIVE DESCRIPTION OF VARIETY  
Wheat (*Triticum* spp.)

NAME OF APPLICANT (S) Pioneer Hi-Bred International, Inc.	TEMPORARY OR EXPERIMENTAL DESIGNATION XW04C	VARIETY NAME 26R87' mH 8/21/06
ADDRESS (Street and No. or RD No., City, State, Zip Code and Country) Crop Genetics Research & Development, Wheat Research 3850 N. 100 E. Windfall, IN 46076		FOR OFFICIAL USE ONLY PVPO NUMBER 2006 002 13

## PLEASE READ ALL INSTRUCTIONS CAREFULLY:

Place the appropriate number that describes the varietal character of this variety in the boxes below. Place a zero in the first box (e.g., 0 9 9 or 0 9 ) when number is either 99 or less or 9 or less respectively. Data for quantitative plant characters should be based on a minimum of 100 plants. Comparative data should be determined from varieties entered in the same trial. Royal Horticultural Society or any recognized color standard may be used to determine plant colors; designate system used: Munsell Color Charts for Plant Tissue. Please answer all questions for your variety; lack of response may delay progress of your application.

## 1. KIND:

1

- 1 = Common  
2 = Durum  
3 = Club  
4 = Other (Specify) \_\_\_\_\_

## 2. VERNALIZATION:

2

- 1 = Spring  
2 = Winter  
3 = Other (Specify) \_\_\_\_\_

## 3. COLEOPTILE ANTHOCYANIN:

1

- 1 = Absent 2 = Present

## 4. JUVENILE PLANT GROWTH:

2

- 1 = Prostrate 2 = Semi-erect 3 = Erect

## 5. PLANT COLOR: (boot stage)

2

- 1 = Yellow-Green  
2 = Green  
3 = Blue-Green

## 6. FLAG LEAF: (boot stage)

1

- 1 = Erect 2 = Recurved  
2 = Not Twisted 2 = Twisted  
2 = Wax Absent 2 = Wax Present

## 7. EAR EMERGENCE:

1 1 3

Number of Days (Average)

0 5

Number of Days Earlier Than \* 2552

Same As \*

Number of Days Later Than \*

\*Relative to a PVPO-Approved Commercial Variety Grown in the Same Trial

## 8. ANTER COLOR:

1

- 1 = Yellow 2 = Purple

## 9. PLANT HEIGHT: (from soil to top of head, excluding awns)

0 9 2

cm (Average)

cm

cm Taller Than

Same As

0 1

cm Shorter Than 2552

2006 00 2 13

## 10. STEM:

## A. ANTHOCYANIN

1

1 = Absent 2 = Present

## B. WAXY BLOOM

2

1 = Absent 2 = Present

## C. HAIRINESS (last internode of rachis)

1

1 = Absent 2 = Present

## D. INTERNODE

1

1 = Hollow 2 = Semi-solid 3 = Solid

5

Number of Nodes

## E. PEDUNCLE

1

1 = Erect 2 = Recurved 3 = Semi-erect

cm

cm Length

## F. AURICLE

1

Anthocyanin: 1 = Absent 2 = Present

2

Hair: 1 = Absent 2 = Present

## 11. HEAD: (At Maturity)

## A. DENSITY

2

1 = Lax  
2 = Middense (Laxidense)  
3 = Dense

## B. SHAPE

2

1 = Tapering  
2 = Strap  
3 = Clavate  
4 = Other (Specify)

## C. CURVATURE

2

1 = Erect  
2 = Inclined  
3 = Recurved

## D. AWNEDNESS

4

1 = Awnless  
2 = Apically Awnletted  
3 = Awnletted  
4 = Awned

## 12. GLUMES: (At Maturity)

## A. COLOR

2

1 = White  
2 = Tan  
3 = Other (Specify)

## B. SHOULDER

2

1 = Wanting 2 = Oblique  
3 = Rounded 4 = Square  
5 = Elevated 6 = Apiculate  
7 = Other (Specify)

## C. SHOULDER WIDTH

2

1 = Narrow  
2 = Medium  
3 = Wide

## D. BEAK

3

1 = Obtuse  
2 = Acute  
3 = Acuminate

## E. BEAK WIDTH

2

1 = Narrow  
2 = Medium  
3 = Wide

## F. GLUME LENGTH

3

1 = Short (ca. 7mm)  
2 = Medium (ca. 8mm)  
3 = Long (ca. 9mm)

## G. WIDTH

3

1 = Narrow (ca. 3mm)  
2 = Medium (ca. 3.5mm)  
3 = Long (ca. 4mm)



## 13. SEED:

## A. SHAPE

- ☐ 1 = Ovate  
☐ 2 = Oval  
☐ 3 = Elliptical

## B. CHEEK

- ☐ 1 = Rounded  
☐ 2 = Angular

## C. BRUSH

- ☐ 1 = Short  
☐ 2 = Medium  
☐ 3 = Long
- ☐ 2 1 = Not Collared  
☐ 2 = Collared

## D. CREASE

- ☐ 1 = Width 60% or less of Kernel  
☐ 2 = Width 80% or less of Kernel  
☐ 3 = Width Nearly as Wide as Kernel
- ☐ 1 = Depth 20% or less of Kernel  
☐ 2 = Depth 35% or less of Kernel  
☐ 3 = Depth 50% or less of Kernel

## E. COLOR

- ☐ 1 = White  
☐ 2 = Amber  
☐ 3 = Red  
☐ 4 = Other (Specify) \_\_\_\_\_

## F. TEXTURE

- ☐ 1 = Hard  
☐ 2 = Soft  
☐ 3 = Other (Specify) \_\_\_\_\_

## G. PHENOL REACTION (See Instructions)

- ☐ 1 = Ivory  
☐ 2 = Fawn  
☐ 3 = Light Brown  
☐ 4 = Dark Brown  
☐ 5 = Black

## H. SEED WEIGHT

- ☐ 4 ☐ 4 g/1000 Seed (Whole number only)

## I. GERM SIZE

- ☐ 1 = Small  
☐ 2 = Midsize  
☐ 3 = Large

## 14. DISEASE: PLEASE INDICATE THE SPECIFIC RACE OR STRAIN TESTED \*\*Predominant field races

(0 = Not Tested 1 = Susceptible 2 = Resistant 3 = Intermediate 4 = Tolerant)

- |   |   |
|---|---|
| <input type="checkbox"/> 0 Stem Rust ( <i>Puccinia graminis</i> f. sp. <i>tritici</i> ) | <input type="checkbox"/> 2 Leaf Rust ( <i>Puccinia recondita</i> f. sp. <i>tritici</i> )                      |
| <input type="checkbox"/> 2 Stripe Rust ( <i>Puccinia striiformis</i> )                  | <input type="checkbox"/> 0 Loose Smut ( <i>Ustilago tritici</i> )   |
| <input type="checkbox"/> 3 Tan Spot ( <i>Pyrenophora tritici-repentis</i> )             | <input type="checkbox"/> 0 Flag Smut ( <i>Urocystis agropyri</i> )  |
| <input type="checkbox"/> 0 Halo Spot ( <i>Selenophoma donacis</i> )                     | <input type="checkbox"/> 0 Common Bunt ( <i>Tilletia tritici</i> or <i>T. laevis</i> )                        |
| <input type="checkbox"/> 3 <i>Septoria nodorum</i> (Glume Blotch)                       | <input type="checkbox"/> 0 Dwarf Bunt ( <i>Tilletia controversa</i> )   |
| <input type="checkbox"/> 0 <i>Septoria avenae</i> (Speckled Leaf Disease)               | <input type="checkbox"/> 0 Karnal Bunt ( <i>Tilletia indica</i> )   |
| <input type="checkbox"/> 3 <i>Septoria tritici</i> (Speckled Leaf Blotch)               | <input type="checkbox"/> 3 Powdery Mildew ( <i>Erysiphe graminis</i> f. sp. <i>tritici</i> )                  |
| <input type="checkbox"/> 1 Scab ( <i>Fusarium</i> spp.)                                 | <input type="checkbox"/> 0 "Snow Molds"   |
| <input type="checkbox"/> 0 "Black Point" (Kernel Smudge)                                | <input type="checkbox"/> 0 Common Root Rot ( <i>Fusarium</i> , <i>Cochliobolus</i> and <i>Bipolaris</i> spp.) |
| <input type="checkbox"/> 0 Barley Yellow Dwarf Virus (BYDV)                             | <input type="checkbox"/> 0 Rhizoctonia Root Rot ( <i>Rhizoctonia solani</i> )                                 |
| <input type="checkbox"/> 1 Soilborne Mosaic Virus (SBMV)                                | <input type="checkbox"/> 0 Black Chaff ( <i>Xanthomonas campestris</i> pv. <i>translucens</i> )               |
| <input type="checkbox"/> 3 Wheat Yellow (Spindle Streak) Mosaic Virus                   | <input type="checkbox"/> 0 Bacterial Leaf Blight ( <i>Pseudomonas syringae</i> pv. <i>syringae</i> )          |
| <input type="checkbox"/> 0 Wheat Streak Mosaic Virus (WSMV)                             | <input type="checkbox"/> Other (Specify) _____  |
| <input type="checkbox"/> Other (Specify) _____  | <input type="checkbox"/> Other (Specify) _____  |
| <input type="checkbox"/> Other (Specify) _____  | <input type="checkbox"/> Other (Specify) _____  |
| <input type="checkbox"/> Other (Specify) _____  | <input type="checkbox"/> Other (Specify) _____  |

## 15. INSECT: (0 = Not Tested 1 = Susceptible 2 = Resistant 3 = Intermediate 4 = Tolerant)

PLEASE SPECIFY BIOTYPE (where needed)

- ☐ 1 Hessian Fly (*Mayetiola destructor*) Biotype E ☐ Other (Specify) \_\_\_\_\_
- ☐ 0 Stem Sawfly (*Cephus* spp.) ☐ Other (Specify) \_\_\_\_\_
- ☐ 0 Cereal Leaf Beetle (*Oulema melanopa*) ☐ Other (Specify) \_\_\_\_\_

15. INSECT: (continued)    0 = Not Tested    1 = Susceptible    2 = Resistant    3 = Intermediate    4 = Tolerant

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PLEASE SPECIFY BIOTYPE (Where Needed)

<input type="checkbox"/> 0	Russian Aphid ( <i>Diuraphis noxia</i> )	<input type="checkbox"/>	Other (Specify) _____
<input type="checkbox"/> 0	Greenbug ( <i>Schizaphis graminum</i> )	<input type="checkbox"/>	Other (Specify) _____
<input type="checkbox"/> 0	Aphids	<input type="checkbox"/>	Other (Specify) _____

16. ADDITIONAL INFORMATION ON ANY ITEM ABOVE, OR GENERAL COMMENTS:

**19D. Exhibit D. Additional Description of the Variety****1. Yield and Agronomic information.**

MAH  
8/21/06 Preliminary yield testing of <sup>'26287'</sup> XW04C began in the 2000-01 growing season and wide scale testing has been conducted from the 2001-02 growing season to the present. It has shown adaptation to the soft red winter wheat growing regions of the southeastern and mid-southern U.S., approximately south of the Ohio river. (Table 1).

**2. Information on Milling and Baking Qualities.**

XW04C has demonstrated acceptable soft winter wheat milling and baking qualities (Table 2).

Table 1. Paired comparisons of XW04C during the period 2001-2005.

Variety	Grain Yield	Test Weight	Plant Height	Heading Date	Straw Lodging	Leaf Rust	Leaf Blight	Powdery Mildew	Scab	Stripe Rust	SBMV	SSMV
25R87	bu/ac	lb/bu	cm	After Jan 1	1-9@	1-9@	1-9@	1-9@	1-9@	1-9@	1-9@	1-9@
<del>XW04C</del>	83.4	59.3	91.9	113.4	8.0	8.1	5.8	7.1	5.5	8.9	3.5	5.2
2552	83.0	57.0	93.0	118.8	7.1	5.3	6.0	6.0	6.5	8.3	6.3	7.5
Locations	44	44	29	28	5	16	9	4	4	10	2	3
Reps.	87	85	55	52	10	34	16	8	8	23	4	5
Prob.	0.780	0.000	0.207	0.000	0.296	0.000	0.762	0.404	0.116	0.039	0.058	0.118
XW04C	81.9	59.1	91.2	113.2	8.0	8.1	5.7	7.4	5.4	8.9	3.5	5.2
26R24	79.4	56.1	94.5	116.0	7.1	6.8	4.8	6.7	4.6	5.3	3.0	5.7
Locations	48	49	32	33	5	17	11	6	4	10	2	3
Reps.	98	98	61	63	10	37	18	13	7	23	4	5
Prob.	0.127	0.000	0.000	0.000	0.296	0.001	0.054	0.084	0.182	0.000	0.500	0.225
XW04C	73.5	59.2	85.3	109.7	9.0	7.7	5.0	7.4	9.0	9.0	4.3	4.3
26R61	68.7	57.7	92.2	112.4	9.0	6.9	5.0	5.4	8.8	8.8	7.5	7.5
Locations	16	16	12	13	1	5	2	6	2	2	2	2
Reps.	34	31	22	24	2	10	3	13	3	3	4	4
Prob.	0.088	0.000	0.000	0.000	0.120	0.120	1.000	0.058	0.500	0.500	0.144	0.144

@ Scale of 1 - 9 where 9 = excellent or resistant, 1 = poor or susceptible.

SSMV = Wheat Spindle Streak Mosaic Virus SBMV = Soil-borne Mosaic Virus

Data in above table collected at locations in Arkansas, Kentucky, Indiana, Illinois, Missouri, Tennessee, Virginia, North Carolina, South Carolina, and Georgia.

Table 2. Average Soft wheat quality data, 2002-2005.

Variety	Flour Yield	Break Flour	Flour	Cookie	Lactic Acid	Sucrose
	%	Yield	Protein	Diameter	SRC	SRC
	%	%	%	cm	%	%
<del>XW04C</del> 26R87'	71.2	37.0	9.1	17.3	113.8	89.5
Years(reps)	3(5)	3(5)	3(5)	2(2)	3(5)	2(2)
2552	72.1	43.7	9.6	18.3	100.1	85.2
Years(reps)	4(11)	4(11)	4(11)	3(3)	3(8)	2(3)
26R24	68.5	45.2	10.3	17.5	110.7	89.1
Years(reps)	4(14)	4(14)	4(14)	3(3)	3(6)	2(2)
26R61	71.3	48.1	10.1	18.2	116.5	
Years(reps)	2(5)	2(5)	2(5)	1(1)	1(1)	

Lactic Acid SRC = Lactic Acid Solvent Retention Capacity

Sucrose SRC = Sucrose solution Retention Capacity

Quality data collected at the USDA-ARS Soft Wheat Quality Lab in Wooster, OH.

U.S. DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). The information is held confidential until the certificate is issued (7 U.S.C. 2426).

**EXHIBIT E**  
**STATEMENT OF THE BASIS OF OWNERSHIP**

1. NAME OF APPLICANT(S)  Pioneer Hi-Bred International, Inc.	2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER  XW04C	3. VARIETY NAME  '26R87'
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP, and Country)  Crop Genetics Research & Development Wheat Research 3850 N 100 E Windfall, IN 46076-9389	5. TELEPHONE (Include area code)  (765) 945-7906	6. FAX (Include area code)  (765) 945-8313
7. PVPO NUMBER		2006 00 2 13

8. Does the applicant own all rights to the variety? Mark an "X" in the appropriate block. If no, please explain. ☒ YES ☐ NO

9. Is the applicant (individual or company) a U.S. national or a U.S. based company? If no, give name of country. ☒ YES ☐ NO

10. Is the applicant the original owner? ☒ YES ☐ NO If no, please answer one of the following:

a. If the original rights to variety were owned by individual(s), is (are) the original owner(s) a U.S. National(s)?

☐ YES ☐ NO If no, give name of country

b. If the original rights to variety were owned by a company(ies), is (are) the original owner(s) a U.S. based company?

☐ YES ☐ NO If no, give name of country

11. Additional explanation on ownership (Trace ownership from original breeder to current owner. Use the reverse for extra space if needed):

**PLEASE NOTE:**

Plant variety protection can only be afforded to the owners (not licensees) who meet the following criteria:

1. If the rights to the variety are owned by the original breeder, that person must be a U.S. national, national of a UPOV member country, or national of a country which affords similar protection to nationals of the U.S. for the same genus and species.
2. If the rights to the variety are owned by the company which employed the original breeder(s), the company must be U.S. based, owned by nationals of a UPOV member country, or owned by nationals of a country which affords similar protection to nationals of the U.S. for the same genus and species.
3. If the applicant is an owner who is not the original owner, both the original owner and the applicant must meet one of the above criteria.

The original breeder/owner may be the individual or company who directed the final breeding. See Section 41(a)(2) of the Plant Variety Protection Act for definitions.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 0.1 hour per response, including the time for reviewing the instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

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